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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,691	02/14/2001	Scott D. Lavender	85706.000017	1658

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EXAMINER

PHAM, THIERRY L

ART UNIT PAPER NUMBER

2624

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/783,691	Applicant(s) LAVENDER ET AL.	
	Examiner Thierry L. Pham	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed on 8/22/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8,10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: RCE filed on 8/22/05.
- Amendment after Final filed on 7/05/05 has been considered and entered.
- Amendment with respect to drawing (fig. 1) has been considered and accepted.
- Claims 1-6, 8, 10, and 12-14 are pending in application; claims 7, 9, 11, and 15-29 have canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/22/05 has been entered.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection due to newly added features.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al (US 6765691), and in view of Machida (US 6718378).

Regarding claim 1, Kubo discloses a system for scanning a document (scanning system, fig. 1) pursuant to user selected scanning parameters (scanning parameters, fig. 4), the user selected parameters controlling a portion (fig. 4) of the scanning of the document, the system comprising:

- a scanner (scanners 32a-32b, fig. 1) selected to scan the document and produce a scanned image file in accordance with the user selected scanning parameters (scanning parameters, fig. 4);
- a scanner computer (personal computer 12, fig. 1, col. 12, lines 6-22) connected to the scanner (connects via I/O port 20, fig. 1) to receive the scanned image file from the scanner, the scanner computer having a scanner user interface (main menu user interface 63, fig. 4 and displays via monitor 30, fig. 1) for inputting the user selected scanning parameters (select scanning parameters via user interface as shown in fig. 4);
- a printer (printer 34, fig. 1) selected to print an image corresponding to the scanned image file.

Kubo teaches a printing system having a scanner, printer, and a scanner computer all are connected in a network, but fails to teach and/or suggest a printer computer, independent and remote from said scanner computer, connected to the printer and the scanner computer, the printer computer having a printer user interface for inputting the user selected scanning parameters at either computer user interface or at said printer computer user.

Machida, in the same field of endeavor for printing system, teaches a printer computer (PC 104, fig. 1), independent and remote from said scanner computer (PC 103 and PC 115, fig. 1), connected to the printer (printer 105, fig. 1) and the scanner computer (PC 103 and PC 115, fig. 1), the printer computer having a printer user interface (monitor of PC 104 as shown in fig. 1) for inputting the user selected scanning parameters (fig. 13, col. 2, lines 30-32) at either computer user interface or at said printer computer user (scanner is to be shared by plurality of users, col. 5, lines 40-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying printing system of Kubo et al to include a printer computer, independent and remote from scanner computer as taught by Machida because of a following reason: (●) to allow both printer computer user and scanner computer user to use a single scanner, therefore, reducing costs of an additional scanner. Also, it is well known in the art that a single

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scanner/printer can be shared with plurality of users connected via network, which is taught by Machida.

Therefore, it would have been obvious to combine Kubo with Machida to obtain the invention as specified in claim 1.

Regarding claim 2, Kubo further discloses the system of claim 1, wherein the printer computer includes a storage device (HDD 18, fig. 1) for storing the scanned image file.

Regarding claims 3-4, Kubo further discloses the system of claim 1, wherein the printer, the scanner, the scanner computer and the printer computer communicate in a common language (computer and printer languages, i.e., PDL, PCS, PDF and etc and fig. 2).

Claims 5-6, 8, 10, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo and Machida as described in claim 1 above, and further in view of Fresk et al (US 6421135).

Regarding claims 5-6, combinations of Kubo and Machida fail teach and/or suggest precluding execution of the scanning parameters prior to execution of previously submitted scanning parameters.

Fresk, in the same field of endeavor for scanning system (fig. 2), teaches the scanner user interface and the printer user interface selected to receive user selected scanning parameters, and to preclude execution of the scanning parameters prior to execution of previously submitted scanning parameters (first come first serve basis, col. 1, lines 35-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Kubo and Machida as per teachings of Fresk by preclude execution of the scanning parameters prior to execution of previous submitted scanning parameters because of a following reason: (●) to scan and/or print the job requests in the order of received (first come first serve basis).

Therefore, it would have been obvious to combine Kubo and Machida with Fresk to obtain the invention as specified in claims 5-6.

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Regarding claims 8 & 10, Fresk further teaches scanner user interface and printer user interface and a touch sensitive display screen (touch screen 69, fig. 1, Fresk).

Regarding claim 12, Fresk further teaches the system of claim 1, further comprising a lockout at one of the scanner user interface and the printer user interface, the lockout selected to preclude the scanner from scanning a document pursuant to and subsequently submitted user selected scanning parameters document prior to completion of a previously submitted user selected scanning parameters (first come first serve basis, col. 1, lines 35-40).

Regarding claim 13, Fresk further teaches the system of claim 1, further comprising a queue (queuing is well known and widely available in the art) for user selected scanning parameters submitted during execution of previously submitted user selected scanning parameters (first come first serve basis, col. 1, lines 35-40).

Regarding claim 14, Fresk further teaches the system of claim 13, wherein the queue is a first-in-first out sequence (first come first serve basis, col. 1, lines 35-40).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 6298164 to Suzuki et al, teaches a network printing system having plurality of scanners, printers, host computers, and these devices are shared by plurality of users.
- US 2001/009018 to Iizuda teaches a network printing system having plurality of scanners, printers, and host computers, and these devices are shared by plurality of users.

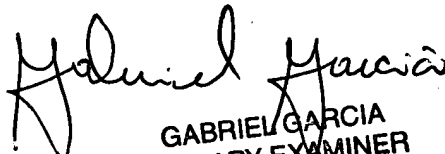
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCIA
PRIMARY EXAMINER